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SEP 14 2006

IAP7 Rec'd PCT/PTO 14 SEP 2006
PATENT

Docket No.: 4590-418

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Denny WERNHAM *et al.*

U.S. Patent Application No. 10/539,623

Filed: June 17, 2005

For: AN OPTICAL FILTER

Confirmation No. 2905

Group Art Unit: n/a

Examiner: n/a

RESPONSE TO NOTICE TO FILE MISSING PARTS

Mail Stop Missing Parts
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice of Missing Parts of Application dated February 14, 2006, the period for response to which is set to expire on September 14, 2005. Submitted herewith are the following:

- Executed Declaration and Power of Attorney;
- Late Declaration Surcharge: \$ 130.00;
- Petition for Extension of Time (x5): \$ 2,160.00;
- Petition Under 37 CFR 1.47(a): \$ 200.00 (37 CFR 1.17(g))
- Proof that the inventor, i.e., Denny WERNHAM, refuses to execute the application papers (Exhibit 1)
- Copy of Notice to File Missing Parts

Attached hereto is a credit card payment form in the amount of \$ 2,490.00, which covers the fees for the above listed items. Please charge any deficiencies in the enclosed fees to Deposit Account 07-1337 and direct any inquiries in connection with this application directly to the undersigned.

09/21/2006 ATRANI 00000126 10539623

01 FC:1617 130.00 OP

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP

Kenneth M. Berner
Kenneth M. Berner

09/21/2006 ATRANI 00000126 10539623

03 FC:1255 2160.00 OP

1700 Diagonal Road, Suite 310
Alexandria, Virginia 22314
(703) 684-1111 KMB/iyr
Facsimile: (703) 518-5499
Date: September 14, 2005

CERTIFICATION OF FACSIMILE TRANSMISSION
I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMI-
LE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE
ON THE DATE SHOWN BELOW

Fryna R. Schenck
TYPE OR PRINT NAME OF PERSON SIGNING CERTIFICATION

SIGNATURE

DATE

571-273-8300

FACSIMILE NUMBER

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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/539,623	Denny Wernham	4590-418

INTERNATIONAL APPLICATION NO.
PCT/EP03/51068

LA. FILING DATE	PRIORITY DATE
12/18/2003	12/19/2002

33308

LOWE HAUPTMAN GILMAN & BERNER, LLP
1700 DIAGNOSTIC ROAD, SUITE 300
ALEXANDRIA, VA 22314

CONFIRMATION NO. 2905

371 FORMALITIES LETTER



OC000000018007736

Date Mailed: 02/14/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/17/2005
- Copy of the International Search Report filed on 06/17/2005
- Copy of IPE Report filed on 06/17/2005
- Preliminary Amendments filed on 06/17/2005
- Information Disclosure Statements filed on 06/17/2005
- Request for Immediate Examination filed on 06/17/2005
- U.S. Basic National Fees filed on 06/17/2005
- Priority Documents filed on 06/17/2005
- Specification filed on 06/17/2005
- Claims filed on 06/17/2005
- Abstracts filed on 06/17/2005
- Drawings filed on 06/17/2005

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Lowe, Hauptman, & Berner

DOCKETED BY: *[Signature]*

DUE DATE: 4-19-06

MISSING PARTS

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

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ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/539,623	PCT/EP03/51068	4590-418

FORM PCT/DO/EO/905 (371 Formalities Notice)